

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**ANTONIO GALLEGOS,
KRISTIAN PETTINE, and
ANDRE GALLEGOS,**

Plaintiffs,

v.

No. 12-CV-224 LH/KBM

CITY OF ESPANOLA, a municipal corporation;
JOE MARTINEZ, individually and in his official
capacity; **JEREMY APODACA**, individually and in
his official capacity; **ROBERT VIGIL**, individually
and in his official capacity; **CITY OF ESPANOLA
OFFICERS and SUPERVISORS JOHN DOES 1**
through 10, individually and in their official
capacities,

Defendants.

ORDER

On December 12, 2014, the Court held a pretrial conference in this case. Nathaniel V. Thompkins was present on behalf of Plaintiffs Antonio Gallegos and Kristian Pettine. Joseph L. Romero was present on behalf of Defendants. Counsel for the Defendants notified the Court that Plaintiff Antonio Gallegos is currently in custody in Santa Fe, and is not scheduled to be released until mid-2015. Counsel for the Plaintiff has notified the Court that Plaintiff Kristian Pettine has expressed an interest in dismissing her claims against Defendants.

The Court also held a hearing on Plaintiffs' FIRST MOTION TO WITHDRAW AS ATTORNEY FOR THE PLAINTIFFS (Doc. No. 195) (Motion to Withdraw). The Court will deny the Motion to Withdraw without prejudice because it does not comply with the requirements of D.N.M.LR-Civ. 83.8. Specifically, Plaintiffs were not served with the motion and afforded a sufficient period of time to respond with written objections.

The Court ORDERS THAT:

- (1) Plaintiffs' FIRST MOTION TO WITHDRAW AS ATTORNEY FOR THE PLAINTIFFS (Doc. No. 195) is denied without prejudice;
- (2) Counsel for Plaintiffs will file an amended motion to withdraw that complies with D.N.M. LR-Civ. 83.8 today, and will promptly file notice with the court when the Plaintiffs have been served with the motion;
- (3) The jury selection on January 9, 2015 at 10:00 AM is vacated; and
- (4) The trial on January 14, 2015 at 9:00 AM is vacated.

A handwritten signature in black ink, reading "James A. Parker". The signature is written in a cursive style with a large, looped "P" and a long, sweeping underline.

SENIOR UNITED STATES DISTRICT JUDGE